HIGH COURT OF JUDICATURE CHHATTISGARH :: BILASPUR

SINGLE BENCH: HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION No.248 of 2004

PETITIONER DEFENDANT	Smt. Bachia Devi W/o Nathuni Ram Aged about 55 years, R/o Mayapur, before Chandani Chowk, Ambikapur, P.S. & Tahsil Ambikapur, Distt. Surguja (C.G.)
Vs.	
RESPONDENT PLAINTIFF	Ganeshia Devi, Aged about 60 years W/o Durga Prasad Chowbe R/o Shitala Ward, Ambikapur, P.S.& Tah. Ambikapur, Distt. Surguja

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Present: Shri Manoj Paranjape, learned counsel for the petitioner.
Shri A.K. Prasad, learned counsel for the respondent.

ORAL ORDER
(Passed on 22nd December 2005)

On an application filed by the respondent herein under Order 39 Rules 1 & 2 of CPC, the learned trial Judge granted temporary injunction in favour of the respondent. That order was affirmed by the learned appellate Judge in the appeal. Hence, this writ petition under Article 227 of the Constitution of India.

(2) Having heard learned counsel for the parties, I think that it is just and equitable to put the respondent on terms, and therefore, I direct the respondent to deposit a sum of Rs.15,000/- per annum before the trial Court. The money so deposited shall be subject to final result of the suit and the successful party in the suit will be entitled to the same. The order impugned in this writ petition shall stand modified in the above terms. The learned trial Court is directed to expedite trial of the suit. There shall be no order as to costs.

Sd/-
Chief Justice